

EXECUTORS ACCUSE BIG TIM'S PARTNER

Will Ask Court To-day to Name
Receiver for Estate of
George J. Kraus.

SAY THEY FEAR BIG LOSS

Assert Theatrical Man's Acts
Injured Interests of Sul-
livan's Heirs.

Surprising affidavits will be submitted to Supreme Court Justice Seabury to-day in an application by Lawrence Mulligan and Patrick H. Sullivan, executors under the will of Timothy D. Sullivan, for the appointment of a receiver for the theatrical firm of Sullivan & Kraus and for an injunction restraining David Kraus and Panny Kraus, executors under the will of Big Tim's partner, George J. Kraus, from collecting any money belonging to the firm.

The Sullivan executors say that Kraus refused to make an accounting during his lifetime or to wind up the affairs of the firm and that unless a receiver is appointed the property will be wholly destroyed. The assets consist of a lease of the Bowery Theatre, one-half of the Gotham Theatre and the lease on the stock of the property and 50 per cent. of the stock of the City Theatre Company, owner of the City Theatre in East Fourteenth street.

Circle Theatre Taken Away.

Until recently the assets included a lease on the Circle Theatre of large value, but because the deed of Kraus failed to pay rent, although collecting rents from sub-tenants, the owner has taken possession of the property.

The Sullivan executors say that Kraus not only kept for his personal use the moneys of the firm received after Big Tim was adjudged incompetent but refused to pay any debts of the firm and failed to pay a judgment against the firm an execution was issued against the Bowery Theatre, which prevented its sale. Kraus also compelled the Sullivan executors to repair the theatre, the cost of which he refused to pay. It is alleged that the firm owes the Sullivan estate more than \$100,000 and that no money for Big Tim's interest in the profits has been received since January 31, 1913, except a check for \$2,000.

Tells of Profits of Firm.

A report of the Industrial Audit Company, which is attached to the papers, states that the books of the firm show that between 1909 and 1912 the firm received an average profit of \$21,678, while the Gotham Theatre earned an average of \$4,641 between 1905 and 1912 and the Circle Theatre earned \$4,950 between 1907 and 1912. The total average profit for five years prior to 1912 was \$36,000. The audit company reports that many checks which have been changed on the firm's books to Big Tim's account have been deposited in his account and were not deposited in his account. Other checks bear Big Tim's indorsement, but the handwriting is not his. Kraus paid his individual notes with the funds of the firm after Big Tim's illness, it is stated.

The report shows that Kraus overdraw his account \$20,420, while money due to Sullivan, according to the books, is \$103,000. The report fixes the value of the assets of the firm at \$254,208.

MOTHER SEES TWO BOYS BURN.

Gets to Blazing Barn Too Late to
Save Children.

ROXBURY, L. I., Aug. 2.—Two little boys, 4 and 2 years old, were burned to death while playing in a barn which burned this afternoon. A seven-year-old boy, who was with them when the fire broke out, ran from the barn to summon his mother, but when the mother reached the barn the fire was blazing so fiercely that she could not enter to get her children.

The children who were burned were Joseph and Frederick Sergio, sons of Asidio Sergio of Brookside avenue. They were playing in the hay with their brother Paul, and it is supposed that one of them struck a match.

AFTER STANDARD OIL CHARTER.

Att. of Court Fight To-day to Drive
Company From Jersey.

A hearing will be given the Standard Oil Company on the bench warrant issued ten days ago on the complaint of the Crew Levick Oil Company, charging it with a violation of the anti-trust laws, before County Judge Mark A. Sullivan in the Hudson County Court of Common Pleas to-day. A peculiar incident is that Piero G. Gargano, attorney for the Standard Oil, will have to fight First Assistant Prosecutor George T. Vickers and Second Assistant James W. McCarthy, appointed by Mr. Gargano's when he was Prosecutor of the Pleas.

The Crew Levick Oil Company charges that the Standard Oil injured it by cutting the price of gasoline in Hudson county and not in other parts of New Jersey. "If we convict the Standard Oil, and we feel satisfied that we will be able to," said Assistant Prosecutor Vickers last night, "we will seek to have its New Jersey charter revoked. In this case we will endeavor to make corporate guilt personal."

Mr. Gargano said that the State couldn't prove the charge.

SAYS ARRESTS TO REVENGE.

William Sloane Does Not Believe
Directors Misappropriated Funds.

No direct information of the reported arrest in Green Bay, Wis., of N. S. Clark and George McNeil, directors of the W. & J. Sloane Company of Fifth avenue and Forty-seventh street for alleged misappropriation of stock of the Willow Grass Rug Company, subsidiary concern, has been received here yet, according to William Sloane, president of the company, yesterday.

The charges are reported to have been brought by A. B. Pontaine, former president of the rug company, who was removed, and involve stock valued at \$7,800. Warrants are said to have been issued for the directors and Mr. Sloane has threatened to sue them for libel. "I am not surprised at the action taken," said Mr. Sloane over the telephone from his home at Pine Road, L. I. "The charges I believe to be false and trumped up as a revenge on the part of Pontaine, who was forced to resign from the rug company. He has threatened us several times before."

Boat Sent to the Island.

Andel Gougeon, a lumberjack from Washington, was sent to Blackwell's Island for three months yesterday by Judge Simms in the Jefferson Market court on a charge of disorderly conduct. Henry Schmidt, a laundryman, of 134 Second avenue, said Gougeon hurled imprecations at him in French and prophesied the downfall of Germany because he refused to give him money.

CITY RECEIVES \$343,882,164 DURING LAST SIX MONTHS

Semi-Annual Statement of Comptroller Prendergast
Shows That Millions Have Been Paid
For Water—Also Tells Cost of
Subway Construction.

Father Knickerbocker's pocketbook is bigger than ever, according to the semi-annual statement just issued by Comptroller Prendergast. This latest issue shows that during the last six months \$243,882,164 in receipts have been poured into the coffers of the city. Taxes, assessments, water rates, docks, ferries and the hundreds of other items of miscellaneous revenue collectible by the city supplied \$112,118,628 of this amount.

The public loaned to the city \$226,589,369 in long and short term securities since the first of the year, \$189,004,205 of which has been redeemed. In the same period the city has paid out \$310,711,319. It is interesting to note that of this amount, Comptroller Prendergast states, it took \$75,193,344 to run the city government. The payrolls claimed \$57,835,797 in the six months time.

The city's outlay in contracts for rapid transit construction amounted to \$3,915,581. Other contract expenditures included \$5,421,817 on account of the new Catskill water supply; \$2,301,898 for the improvement and betterment of educational properties and \$4,760,420 by the borough presidents in the construction of highways, sewers, etc.

Comptroller's Report Includes for the first time tables showing the city's

entire investments in and commitments for the construction of rapid transit railroads. These aggregate \$224,129,121, of which the outlays on account thereof by the city until June 30 amounted to \$112,963,293, thus reflecting a remaining aggregate of some \$110,165,828 still to be financed by the city in the construction of these rapid transit railroads. This sum, however, is included within the elements which comprise the city's constitutional debt and is therefore within the debt limit.

Of the grand total of city investments and commitments in rapid transit railroads \$28,835,043 represents the amount in the existing subways operated by the Interborough Rapid Transit Company. The additional railroads now under construction which are to be operated by the Interborough company in connection with the existing subways call for a total outlay by the city of \$63,602,888 and the lines to be operated by the New York Municipal Railway Corporation in connection with the elevated roads of the Brooklyn Rapid Transit call for an expenditure by the city of \$100,691,190.

The roads still under construction, some of which are rapidly nearing completion, and including the Brooklyn-Centre street loop line, now in operation, will require a total outlay on the part of the city of \$164,294,078, of which \$57,121,658 had been expended up to June 30.

Wilson Urges the Managers to Concede Demands That Mediators Approved.

WASHINGTON, Aug. 2.—The threatened strike of 58,000 railway operatives on the coast of the Mississippi River will probably be averted, according to the opinion expressed in authoritative circles in Washington to-night.

Supplementary to his verbal appeal expressed to the managers of the railroad last night President Wilson transmitted to-night to the managers, using former Labor Commissioner Charles P. Neill as his emissary, a comprehensive note setting forth his reasons for urging them to concede all of the demands of the operatives as approved by the Board of Mediation and Conciliation.

The operatives, headed by Chief Warren S. Stone of the Brotherhood of Locomotive Engineers, will not visit the White House in it. It has been arranged that the managers and the mediators will see President Wilson to-morrow at an hour yet to be designated.

President Wilson is gratified at the attitude now assumed by the managers and firmly expects an agreement to-morrow on all the points in contention and that there will be no strike.

There were many conferences of the managers at their hotel to-day, the last extending well into the night, following the presentation of the President's note to Neill. By agreement, none of the railway managers would discuss any phase of the situation.

PROSPEROUS, BUT HE VANISHES.

Wife and Children Appeal for Return of Charles Fiechheimer.

No tidings have been received of the whereabouts of Charles Fiechheimer, 47 years old, a manufacturer's agent for some years, with an office at 34 West Twenty-sixth street, who disappeared last Thursday from his home, 2176 Broadway. Mr. Fiechheimer is one of the best known men in the trade and represents many Southern concerns.

His brother, Alfred Fiechheimer, with whom he is in business, received by messenger on Friday afternoon an envelope addressed to him from the Manhattan Hotel containing a lot of business papers.

It was learned that the missing man stopped at the Hotel Belmont on Thursday night and went to the Manhattan Hotel the following day.

Alfred Fiechheimer says his brother's business is in splendid condition. He believes that unfortunate speculation in Wall Street may have preyed on his mind.

Mrs. Fiechheimer and her children, Richard, John and Charles, Jr., published an advertisement begging the missing man to come home and "show his grit."

STABBED IN BANANA DISPUTE.

Was Wounded by Man in Quarrel
Over Price of Fruit.

Thomas Lasker, 17, son of George Lasker, a German fruit dealer of 274 Wythe avenue, Williamsburg, was stabbed in the chest yesterday by Anton Zanski, a Russian of 297 Kent avenue, in a dispute over the price of bananas. The Russian was roughly handled by a crowd of Poles on their way to church. Magistrate Reynolds in the Manhattan avenue police court held Zanski without bail on a charge of felonious assault.

CALDWELL, N. J., Aug. 2.—Two Poles were severely beaten this morning in the outskirts of this village. Several revolvers were discharged, but no one was hurt. The Poles were carrying a large box of bananas. One of the Poles, Alex Welsch's arm was fractured and his scalp was cut. Alex Welsch had his right hand broken. The Hungarians claimed the victory.

JOE LEITER IN YACHT RACE.

Speed Test With "Lucky" Baldwin's
Daughter, Sailing From Here.

A race between two steam yachts for the honor of passing through the Panama Canal first will begin to-day when the California, a swift steam yacht which won fame at the Hawaii when she raced against H. H. Rogers Kanawha, steamed down the bay bound for Colon. Howard Gould yacht Niagara, under lease to Joseph Leiter of Chicago, is now steaming from Honolulu toward Balboa, at the Pacific end of the canal.

Mrs. Clara Baldwin Stocker, daughter of the late "Lucky" Baldwin, is the owner of the California. She is the owner of P. M. Smith, "the brass king," for \$100,000 two years ago. Mrs. Stocker, her husband and Mrs. E. E. Snyder will be the passengers on the California, for the watermen intended for guns have been filled with supplies for the long voyage to San Francisco. The yacht has been lying at the foot of East Twenty-fourth street.

On the trip down the Atlantic coast the yacht will stop to take on coal at Charleston, Jacksonville, Nassau and Kingston.

May Ask U. S. to Police Far East.

SHANGHAI, Aug. 2.—The British cruiser Tarnmouth, 5,250 tons, and the Russian cruiser Askold, 5,905 tons, left Shanghai to-day. The Askold arrived here two days ago.

The foreign residents of Shanghai are becoming worried because of the city's lack of protection and are considering asking that the United States, rather than Japan, extend police protection in the Far East.

MANUFACTURER KILLED IN FAR ROCKAWAY HOME

Leopold Lyons Found With Bul-
let in Temple—Police Be-
lieve He Was Suicide.

Leopold Lyons, a clothing manufacturer of 707 Broadway, who has a residence at 322 West 100th street, near Riverside Drive, was found dead in his summer cottage at Far Rockaway early yesterday with a bullet wound in his temple and a revolver by his side. The police believe he was a suicide. His wife said their home life was pleasant and his business prosperous.

Mrs. Lyons found her husband's body shortly after 9 o'clock, when she went to call him and got no response to her knock at his door on the second floor. She immediately called in Coroner's Physician Nannack of Queens county, a neighbor, who said Lyons had been dead several hours. Neither Mr. Lyons nor his two daughters heard a shot during the night.

The Lyons cottage is located at 230 Broadway, Far Rockaway, near Lawrence. It is in the fashionable section. Mr. Lyons was 49 years old.

Crased by Illness, Cabbler Slashes Himself and Attacks Three Friends.

Crased by gastritis, Joseph Finkelstein, 50, a cabbler, slashed his throat with a knife at 132 Lorimer street, Williamsburg, yesterday. He attacked Morris Schaad, Louis Stecker and Reuben Lator, who succeeded in taking the knife away. Finkelstein was locked up after receiving treatment by an ambulance surgeon of the Eastern District Hospital. He told Magistrate Reynolds in the Manhattan avenue police court that he would kill himself at the first opportunity. He was committed in default of \$500 bail.

Woman Restrained From Suicide.

Breaks Out of a Straitjacket.

Mrs. Millicent Ahearn, 53, of 161 Division avenue, Williamsburg, tried yesterday to stab herself. She attacked two policemen and was put in a straitjacket. She broke out of the straitjacket on the way to the Williamsburg Hospital and struck Dr. Perlman.

VILLA'S ARMY LEFT OUT.

Divisions of Gonzales and Obregon
in Mexico City March.

WASHINGTON, Aug. 2.—Announcement was made by the Constitutional agency here to-night that the armies of Gen. Gonzales and Obregon have effected a juncture at Queretaro, whence they will proceed on the march to Mexico city to-day.

Gen. Gonzales has had command of the operations of the Constitutional forces in the east, while Gen. Obregon has commanded the western division. The latter has been the more successful, and central and it is regarded as significant that an announcement is made of the proposed march to Mexico city while Gen. Villa remains unrepresented in the advancing forces.

It is denied by the agency here that Gen. Carranza ever intended each of his three chief generals to send 5,000 men each to join in the march on Mexico city. Gen. Gonzales and Obregon are making this march, it is said, because their forces are nearest the capital and in the best position to occupy it.

The leaving out of Villa, however, is regarded here as a sign of future trouble between him and the Constitutional chief.

The agency expects that the Carranza representatives will have their first conference with Gen. Carranza at Saltillo to-morrow. They expect that before Gen. Gonzales and Obregon have reached the outskirts of Mexico city and arrangement will have been agreed on at Saltillo for the occupation of the capital peacefully.

BOLD ROBBER GETS \$600.

Ransacks Rockaway Home While
Family Is on the Porch.

One of the boldest daylight robberies in the Rockaways this season occurred yesterday morning when a well dressed, good looking young man robbed the home of Henry Surut, at 15 Sea View avenue, Arverne.

While the young thief was ransacking the room of Miss Freda Surut the family was enjoying the ocean breezes from the front porch. With the \$600 worth of loot which he had taken from the room the family on the porch and continued on down to the beach, where he lost himself in the crowd.

He took a necklace valued at \$500, a purse containing about \$30 and a camera.

Alleged Handbag Thief Held.

Charged with stealing a handbag containing \$40 and jewelry worth \$10 from a newstand at West Twenty-third street and Eleventh avenue, belonging to Mrs. Mary Lucas, owner of the stand, James Bruen, 22, of 24 East Sixty-ninth street, and Andrew Broadhurst, 31, of Providence, R. I., were held in \$1,500 bail for trial yesterday by Magistrate Simms in the Jefferson Market court.

FERDINAND L. CROSS SUED FOR DIVORCE

Wife Who Won Separation Suit
in 1903 Now Accuses Him
of Misconduct.

SAYS ALIMONY IS UNPAID

Defendant Is Director in Jew-
elry Concern Founded
by His Father.

Ferdinand L. Cross, director in the jewelry concern of Cross & Bequelin at 28 Maiden lane, has been sued in the Supreme Court for a divorce by Mrs. Anna F. Cross, who got a decree of separation, with \$100 a month alimony, in 1902. Cross now lives at Montclair, N. J., and his wife alleges he left New York to avoid paying her alimony after he had made an unsuccessful attempt to have it reduced.

Cross and his brother, William T. Cross, who is president of the concern, are the sons of Mrs. Hannah A. Cross, widow of the founder of the jewelry firm. Mrs. Cross died on November 25 last. Her sons inherited her entire estate in equal shares under a will made several years prior to her death, but a few hours before she died she made a codicil in which she gave \$25,000 in cash and jewelry worth \$50,000 to her niece, Mrs. May Thompson Luqueer. The sons investigated their mother's death and learned that, while the death certificate gave the cause as bronchitis, cocaine in large quantities had been administered shortly before her death. Mrs. Cross's body was exhumed, but nothing was learned to warrant action. The two sons will divide about \$100,000.

In her divorce complaint the plaintiff accuses Cross of misconduct on many occasions. She alleges that between June 1 and September 1, 1911, he was intimate with a Miss Thompson in a cottage at Schraun Lake in the Adirondacks, and that between September, 1911, and June, 1912, lived with Harriet Stone at 706 West End avenue as husband and wife.

Mrs. Cross says she married the defendant in 1885 at the request of his mother, and she submits a copy of a letter written to her by the defendant's mother five days before her marriage in which Mrs. Hannah A. Cross said:

"He has an interest in that well established and lucrative jewelry business, is a stockholder and director, and his income is assured him. All of Mr. Cross's property was left to myself, but I am living only for the prosperity of my sons and their families, and as I am a rich woman as a matter of course my sons are rich men."

Cross has filed an application to have the case heard before a jury, not only to determine whether or not he is guilty of the acts charged, but whether or not he left the State of New York, as his wife charged, to avoid paying alimony.

SING SING PRISONERS GET DAY OF RECREATION

Allowed Freedom of Yards.
They Romp and Play Games
and Act Like Boys.

GREENING, N. Y., Aug. 2.—Warden Thomas J. McCormick tried out an innovation with the prisoners in Sing Sing prison to-day which he said tonight had been successful and therefore would be in practice the rest of the summer.

The prisoners received their freedom within the prison yard from 7 A. M. until 4:30 in the afternoon, when they were taken back to their cells. The prisoners selected their own monitors, about forty, who watched over their recreation so that it would not be carried to excess.

After breakfast they come into the yards and romped around in groups until chapel time. After services they engaged in tennis and other games, while some read and passed their time in other ways. At noon, instead of having their meals served in the cells, they were served with a hot dinner in the mess hall.

Warden McCormick declares that as a result of giving the prisoners a recreation the slope has turned out 33 per cent. more work during the week.

Make hay while the sun shines!

Sale of athletic underwear—sleeveless shirts and knee drawers.

4551 garments—fancy cotton twill and mesh, and fine handkerchief linen.

A clean up of our stock plus what our manufacturer had left at the end of his season.

2636 were \$1.00
65c now
1915 were \$1.50
\$1.05 now

\$15, \$20 and \$25 are the "big three."

Big because they represent big values now in men's suits.

They're revised prices.

ROGERS PEET COMPANY,
Three Broadway Stores

at
Warren St. 13th St. 34th St.

QUICK-
WOOD
(MADRAS)

2 for 25c
RED
MAN
COLLARS

TROY'S BEST PRODUCT

WILLIAM A. BRADY Ltd. Announces
No Removal From This Theatre

By and with FRANK CRAVEN
Will Remain Right Here
FRANK CRAVEN BACK IN CAST

SEATS NOW FOR NEXT FOUR WEEKS.

39TH STREET
WILLIAM A. BRADY Ltd. Announces
No Removal From This Theatre

By and with FRANK CRAVEN
Will Remain Right Here
FRANK CRAVEN BACK IN CAST

SEATS NOW FOR NEXT FOUR WEEKS.

Store Opens
at 8:30 A. M.

Closes
5:30 P. M.

Store Closes
at
12 Noon
Saturdays.

R. H. Macy & Co.'s Attractions Are Their Low Prices.

Macy's

Herald Square. Broadway, 34th to 35th St.

The Mid-Summer CASH SALE

of
Standard Quality Furniture
Begins This Morning

That this is a CASH Sale it is very important to note. This Mid-Summer Sale is the only one of its kind in New York, because we both BUY and SELL for CASH ONLY.

This means purchasing power unapproached by other merchants; it means avoiding the losses they are bound to sustain by reason of their "charge account" systems; it means, absolutely quality for quality—"LOWEST IN THE CITY" PRICES.

Establishing by cash payment lowest cost at the source of supply; eliminating the economic waste of the charge account system, we also embrace in our organization, to wait upon you, a thoroughly well-trained and experienced force of men who KNOW Furniture, and a delivery system that serves as a model for stores all over the United States.

In the matter of variety from which to select—cash buying is the open sesame to greatest advantage in this respect, always.

It is only possible to SUGGEST, here, either the variety or amplitude of the stock included in this Sale. Provision has been made for every requirement of City and Country home, for the extremes of richness and simplicity and the many degrees between.

**A WOMAN WILL POUR
BOILING HOT WATER on a
dining room table top every few
minutes throughout the day,
to-morrow, in the Furniture
Department, on the Sixth Floor
Centre Aisle, 35th St. Side.**

This is to demonstrate that a VALSPAR finished table top is impervious to both heat and water—very important virtues in any table top, but particularly so in a dining table.

Worth seeing.

**RED CROSS SILK FLOSS
MATTRESSES are for the first
time in New York on Sale at
Macy's.**

They are made of an East Indian vegetable product; delicate, fluffy, soft, yet resilient; non-absorbent and odorless. Thoroughly sterilized.

Special in the Mid-Summer Sale at \$13.74 for the full size mattress, in an assortment of tickings. Other Silk Floss Mattresses, no better, mostly not as good, sell for \$16.75 up to \$21.75 elsewhere.

A demonstration tomorrow.

Important Savings on Furniture For Every Use in the Home

Sixth Floor.

AMUSEMENTS.
WINTER GARDEN 34th & 50th
Evenings 8:15
Mat. To-m. Wed. Best Orch. Seats \$1 & \$1.50

PASSING SHOW OF 1914

44th St. W. of
Hwy. Phone 830
Evenings 8:15
Mat. Wed. 8:15

SHUBERT THEATRE

THE THIRD PARTY
with TAYLOR HOLMES and WALTER JONES
...for this play presented at 50th St. Theatre (where play was to have opened) will be exchanged at Shubert Theatre.

Evenings 8:20, Mat. Wed. & Sat. 2:20
Wed. Mat. \$1.50

39TH STREET

WILLIAM A. BRADY Ltd. Announces
No Removal From This Theatre

By and with FRANK CRAVEN
Will Remain Right Here
FRANK CRAVEN BACK IN CAST

SEATS NOW FOR NEXT FOUR WEEKS.

AMUSEMENTS.
COMEDY Theatre, 41st St. Near Broadway
Evenings 8:20, Mat. Wed. & Sat. 2:20

Castino, 2 & 4th St. Seats 25c. Ev. 8:30. 15c-50c
PAUL & Rainey's 1914 African Hunt Pictures

44th St. W. of
Hwy. Phone 830
Evenings 8:15
Mat. Wed. 8:15

OPENING
TONIGHT

Evenings 8:20, Mat. Wed. & Sat. 2:20
Wed. Mat. \$1.50

THEATRE
NEAR
BWAY.

AMUSEMENTS.
Kitty MacKay
Evenings 8:20, Mat. Wed. & Sat. 2:20

SHUBERT THEATRE

THE THIRD PARTY
with TAYLOR HOLMES and WALTER JONES
...for this play presented at 50th St. Theatre (where play was to have opened) will be exchanged at Shubert Theatre.

39TH STREET

WILLIAM A. BRADY Ltd. Announces
No Removal From This Theatre